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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/238,502	01/27/1999	YOSHIKAZU KOBAYASHI	Q52863	6211

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2100 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20037

EXAMINER

TRAN, CON P

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/238,502

Applicant(s)

KOBAYASHI, YOSHIKAZU

Examiner

Con P. Tran

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 September 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayless et al. (5,754,636) in view of JP 09-055815 (cited by Applicant).

Regarding **claims 1-4, 10, 12, and 14**, Bayless et al. teaches a telephone call dialing method, for use in an information terminal with an operating system (see Fig. 20, 21, 22, 23, 25, and respective portions of the specification), which can display a plurality of windows (see col. 21, lines 12-22), comprising the steps and means of:

selecting a string of character information in a window displayed by the operating system, and storing the selected string of character information in a common working memory which is shared by the operating system (see col. 15, line 62 – col. 16, line 3, col. 22, lines 35-43);

call dialing control means (558) for controlling the operation of call dialing based upon the telephone number output from the output means, to the line (see col. 36, lines 61-67).

selected piece of character information is stored in a common working memory which is shared by the operating system (see col. 15, line 62 – col. 16, line 3).

selected string of character information is one selected by a regional designation, and then stored in a common working memory which is shared by the operating system (see col. 15, lines 42-61).

However, Bayless et al. reference does not explicitly disclose to extract a telephone number from the stored string of character information; and call dialing based upon the extracted telephone number, to a line.

In the same field of endeavor, JP 09-055815 teaches to extract a telephone number from the stored string of character information; and call dialing based upon the extracted telephone number, to a line (see Abstract, lines 8-12) in order to cooperate control a telephone terminal equipment (see Abstract, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Bayless et al. reference steps and means to extract a telephone number from the stored string of character information; and call dialing based upon the extracted telephone number, to a line as taught by JP 09-055815 for the purpose of cooperatively controlling a telephone terminal equipment as suggested by JP 09-055815 in Abstract line 3.

Regarding **claims 5-9, 11, 13, and 15-21**, Bayless et al. teaches a telephone call dialing method, for use in an information terminal with an operating system (see Fig. 20,

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21, 22, 23, 25, and respective portions of the specification), which can display a plurality of windows (see col. 21, lines 12-22), comprising the steps and means of:

displaying a first window (288; see col. 21, lines 40-67);

selecting a string of character information in a second window (282)

displayed by the operating system on display application means (72), and storing the selected string of character information (see col. 22, lines 35-54) for assistance in controlling a call dialing operation (see col. 21, lines 40-67);

call dialing control means (558) for controlling the operation of call dialing based upon the telephone number output from the output means, to the line (see col. 36, lines 61-67).

selection means (64, 66) for selecting a string of character information in a second window displayed by the operating system (see col. 21, lines 40-50);

storage means (60, 62) for storing the selected string of character information (see col. 8, lines 42-48);

output means for outputting the telephone number in order to call-dial to a line (see col. 8, lines 6-14 and col. 21, lines 12-34).

entering a telephone number from the stored string of character information (see col. 22, lines 35-43);

displaying the telephone number in the first window (see col. 21, lines 40-67); and

call dialing based upon the telephone number, to a line (see col. 21, lines 4-11).

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However, Bayless et al. reference does not explicitly disclose the telephone number is an extracted telephone number, and an extraction means for extracting a telephone number from the stored string of character information.

In the same field of endeavor, JP 09-055815 teaches an extraction means (i.e., controller 3-1) for extracting a telephone number from the stored string of character information, displaying (3-30), and call-dial the extracted telephone number (see Abstract) in order to cooperate control a telephone terminal equipment (see Abstract, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Bayless et al. reference an extraction means (i.e., controller 3-1) for extracting a telephone number from the stored string of character information, displaying (3-30), and call-dial the extracted telephone number as taught by JP 09-055815 for the purpose of cooperatively controlling a telephone terminal equipment as suggested by JP 09-055815 in Abstract line 3.

Regarding **claims 20 and 21**, Bayless et al. in view of JP 09-055815 further teaches the information terminal, according to claim 11, when the display application means sets the first window to a tool bar display form (see Bayless, col. 21, lines 40-50), the extraction means (controller 3-1, see JP 09-055815) does not extract the telephone number from the character information (see Bayless, col. 19, lines 38-45).

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Regarding **claim 22 and 23**, Bayless et al. teaches a recording medium (60, 62; see Fig. 22, 24, 25, and respective portions of the specification), which store a program to be executed by a computer, wherein the program includes:

- a procedure for displaying a first window (288) which assists a telephone call dialing operation (see col. 21, lines 40-67);

- a procedure for selecting a string of character information in a window displayed by the operating system, and storing the selected string of character information (see col. 21, lines 35-50 and col. 22, lines 26-43);

- a procedure for entering a telephone number from the stored string of character information (see col. 22, lines 26-43); and

- a procedure for call dialing based upon the entered telephone number, to a line (see col. 21, lines 4-22).

However, Bayless et al. reference does not explicitly disclose a procedure for extracting from the stored string of character information and call dialing an extracted telephone number.

In the same field of endeavor, JP 09-055815 teaches a procedure for extracting and call dialing an extracted telephone number from the stored string of character information, displaying (3-30), and call dial the extracted telephone number (see Abstract) in order to cooperate control a telephone terminal equipment (see Abstract, line 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Bayless et al. reference a

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procedure (i.e., controller 3-1) for extracting a telephone number from the stored string of character information, and call dial the extracted telephone number as taught by JP 09-055815 for the purpose of cooperatively controlling a telephone terminal equipment as suggested by JP 09-055815 in Abstract line 3.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new grounds of rejection.

### ***Conclusion***

4. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

### **Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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\_\_\_\_\_

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran, whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT  
December 1, 2002

  
FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600